

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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BRIAN BONNER,

Plaintiff,

v.

CASE NO: 17-CV-11571

PRISON TRANSPORTATION  
SERVICES, INC AND JOHN DOE

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT  
AND RECOMMENDATION**

This matter was referred to United States Magistrate Stephanie Dawkins Davis pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In her report filed on August 27, 2019, the magistrate judge recommended that this court dismiss plaintiff's complaint with prejudice under Federal Rule of Civil Procedure 41(b) and the defendant Prison Transportation Services' motion to dismiss be denied or terminated as moot. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.<sup>1</sup>

The court ADOPTS the Report and Recommendation for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's "Report and Recommendation", Defendant Prison Transportation Services' Motion to Dismiss [#64] is **TERMINATED AS MOOT** and Plaintiff's complaint is **DISMISSED WITH PREJUDICE** under Federal Rule of Civil Procedure 41(b).

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Dated: September 20, 2019

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 20, 2019, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(810) 292-6522